IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6621 OF 2005

Imran Rafiq Khan. ... Applicant.

Versus.

The State of Maharashtra. ... Respondent.

Shri A.M.Pathan for the Applicant.

Ms.M.M.Deshmukh, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 7th October, 2005.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned A.P.P. for the State.

2. The offence is registered against the Applicant and co-accused is under sections 458, 395, 397, and 398 of the Indian Penal Code.

3. I have perused the material produced along with charge sheet. After hearing the learned Advocates for the parties, I find that there is no case made out for enlarging of the Applicant on bail. The allegation against the Applicant and the co-accused is that they entered the residential bungalow of the first informant. The allegation against the Applicant seems to be that he assaulted one person in the house on his chest by a knife. There is evidence in the form of test identification parade in which the Applicant has been

identified by the injured person with specific reference to the role played by the Applicant. There is enough material on record to show complicity of the Applicant in the offence of serious nature. Hence no case is made out for enlarging the Applicant on bail. However, it is stated that the age of the Applicant is 22 years and therefore, the trial deserves to be expedited. It is stated that the case is already committed to the Court of sessions.

4. Application is rejected. The learned Sessions Judge is directed to conclude the trial as expeditiously by treating the same as High Court expedited case.

Judge.